

- (1) a veteran (as defined in section 101 of title 38, United States Code) with a discharge characterized as an honorable discharge and not on account of alienage.
- (2) on active duty (other than active duty for training) in the Armed Forces of the United States; or
- (3) the spouse or unmarried dependent child of an individual described in subparagraph (A) or (B).

## (4) TRANSITION FOR THOSE CURRENTLY RECEIVING

**BENEFITS.**—An alien who on the date of the enactment of this Act is lawfully residing in any State and is receiving benefits on the date of the enactment of this Act shall continue to be eligible to receive such benefits until January 1, 1997.

## Subtitle C—Attribution of Income and Affidavits of Support

### 8 USC 1631. SEC. 421. FEDERAL ATTRIBUTION OF SPONSOR'S INCOME AND

#### RESOURCES TO ALIEN.

- (a) **IN GENERAL.**—Notwithstanding any other provision of law, in determining the eligibility and the amount of benefits of an alien for any Federal means-tested public benefits program (as provided under section 403), the income and resources of the alien shall be deemed to include the following:
- (4) The income and resources of any person who executed an affidavit of support pursuant to section 213A of the Immigration and Nationality Act (as added by section 423) on behalf of such alien.
- (5) The income and resources of the spouse (if any) of the person.

(b) **DURATION OF ATTRIBUTION PERIOD.**—Subsection (a) shall apply with respect to an alien until such time as the alien—

(1) achieves United States citizenship through naturalization pursuant to chapter 2 of title III of the Immigration and Nationality Act; or

(2)(A) has worked 40 qualifying quarters of coverage as defined under title II of the Social Security Act or can be credited with such qualifying quarters as provided under section 435 and (B) in the case of any such qualifying quarter creditable for any period beginning after December 31, 1996, did not receive any Federal means-tested public benefit (as provided under section 403) during any such period.

- (6) REVIEW OF INCOME AND RESOURCES OF ALIEN

UPON RE-

APPLICATION. ~~—~~ Whenever an alien is required to reapply for benefits under any Federal means-tested public benefits program, the applicable agency shall review the income and resources attributed

to the alien under subsection (a).

(7) APPLICATION. ~~—~~

(8) If on the date of the enactment of this Act, a Federal

means-tested public benefits program attributes a sponsor's income and resources to an alien in determining the alien's eligibility and the amount of benefits for an alien, this section shall apply to any such determination beginning on the day after the date of the enactment of this Act.

(9) If on the date of the enactment of this Act, a Federal

means-tested public benefits program does not attribute a sponsor's income and resources to an alien in determining the